IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31662 of 2008
DURGWATI DEVI
Versus
THE STATE OF BIHAR
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3. 18.12.2008 Heard Sri Manish Kumar, Advocate for the petitioner and Sri D. Mehta, APP for the State.

The case is registered under Section 304B etc. of the IPC and the petitioner Durgawati Devi is the mother-in-law of the deceased. The deceased was being tortured and ill-treated only because she could not bring additional dowry in the form of television and Godrej Almirah. It is alleged further that in spite of getting some part of the demand met by the informant, the lady was murdered and her dead body cremated. There is support of the allegations from witnesses like those, who have been examined in paragraphs 2, 3, 4 & 8 of the case diary, who happened to be closely related to the deceased on account of being her brothers and grand father as also the informant of the case. As against them some persons, who appeared independent, as per the contention, who were examined in the course of investigation in paragraphs 9, 17 to 19, 29, 32 & 33 have stated that in fact the lady fell ill and she was taken to a

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doctor by her husband, who referred her to Patna Medical College and Hospital and while she was being shifted to PMCH she breathed her last on way to the hospital and accordingly, dead body was cremated.

Considering the balance of material in support of the allegations and also explaining the death of the deceased, let petitioner Durgawati Devi be released from custody on furnishing a bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Agiaon (G) P.S. Case No. 02 of 2008.

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DKS/ **(Dharnidhar Jha, J.)**